

01272.020629

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: B. Menberu
MINAKO KATO)	
	:	Group Art Unit: 2625
Application No.: 10/656,103)	
	:	Confirmation No.: 7041
Filed: September 8, 2003)	
	:	
For: IMAGE PROCESSING METHOD)	March 5, 2008
AND IMAGE OUTPUT SYSTEM	:	

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Sir:

Applicant respectfully traverses the restriction requirement set forth in the Office Action mailed February 5, 2008.

In the Office Action, it was alleged that the claims of Groups I and II are related as combination and subcombination. These contentions are respectfully traversed. It is submitted that the amount of effort required by the U.S. Patent and Trademark Office would be lessened by permitting all of the claims presently in the application to be prosecuted in a single application. The alternative is to proceed with the filing of another application, consisting of the same disclosure, and being subjected to substantially the same search, perhaps by a different Examiner on a different occasion, with the resultant burden on the Patent and Trademark Office. Accordingly, it is respectfully requested that the Examiner reconsider the requirement for

restriction and allow the claims presently in the application to be prosecuted in a single application.

Nevertheless, in order to comply with the requirements of 37 C.F.R. §1.143, Applicant provisionally elects the claims of Group II, namely Claims 13-24.

The Office Action also sets forth an election of species requirement between the allegedly patent distinct species of Species I and Species II.

In response to the election of species requirement, the Applicant hereby elects to prosecute the invention of Species II., Figures 11 and 12. It is submitted that Claims 13-24 read on the elected species.

Due consideration and prompt passage to issue are respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Scott D. Malpede/

Scott D. Malpede
Attorney for Applicant
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

SDM/vnm

FCIS_WS 2021618v1